

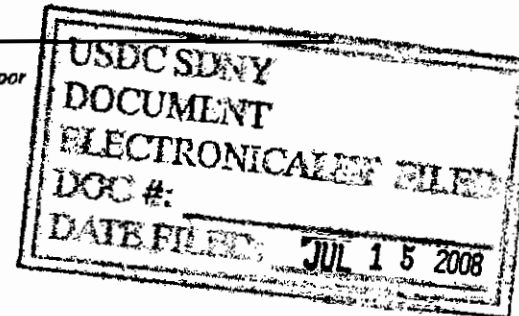
U.S. Department of Justice



United States Attorney
Southern District of New York

86 Chambers Street, 3rd Floor
New York, New York 10007

July 11, 2008



BY FACSIMILE

Hon. Laura Taylor Swain
United States District Judge
United States Courthouse
40 Centre Street, Room 1205
New York, New York 10007

MEMO ENDORSED

Re: Estate of Lorette Jolles Shefner v. Tuchman
No. 08 Civ. 4443 (LTS)

Dear Judge Swain:

I write respectfully on behalf of defendant the National Gallery of Art to request an extension of its time to answer or otherwise respond to the complaint from July 14, 2008, until August 1, 2008. The National Gallery intends to file a motion to dismiss the complaint. However, because of pressing deadlines in other matters, including two filings due today and another due July 18, I have been unable to finalize the motion in time to file by July 14. In addition, my client is unavailable to review the motion from July 14-28. Plaintiffs' counsel consents to the requested extension of time.

I further respectfully request that the Court adjourn the initial pretrial conference, which pursuant to the Court's Initial Conference Order is presently scheduled for August 22, 2008. Due to a previously scheduled family vacation, I will be out of the office during the week of August 18-22. I have consulted with counsel for plaintiff and defendants Tuchman and Dunow, who consent to the adjournment. Counsel are in the process of conferring regarding available dates, given conflicting vacation schedules. I will advise the Court early next week regarding proposed alternative dates for the conference.

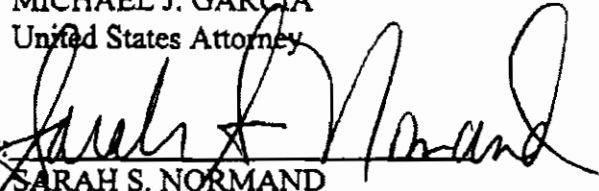
Lastly, because the National Gallery of Art intends to file a motion to dismiss all claims against it, I respectfully request that the Gallery not be required to submit a Preliminary Pre-trial Statement, pending the Court's resolution of the motion to dismiss.

I thank the Court for its consideration of these requests.

Respectfully,

MICHAEL J. GARCIA
United States Attorney

By:


SARAH S. NORMAND

Assistant United States Attorney

Tel.: (212) 637-2709

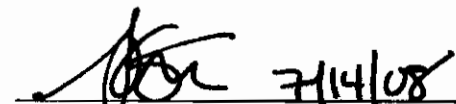
Fax: (212) 637-2702

cc: Karl Geerken, Esq.
90 Park Avenue
New York, NY 10016
Counsel for Plaintiff

Georges G. Lederman, Esq.
52 Duane Street, 7th Floor
New York, NY 10007
Counsel for Defendants Tuchman and Dunow

The requests are granted.

SO ORDERED.


LAURA TAYLOR SWAIN
UNITED STATES DISTRICT JUDGE